

REMARKS

This Amendment and Response is intended to fully respond to the Final Office Action mailed January 25, 2005. In that Office Action, claims 1-27 and 29-41 were examined, and all were rejected. More specifically, claims 1-27 and 29-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent Number 6,199,196 issued to Madany et al., (hereinafter “Madany”). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claims 1, 24, 26, 34 have been amended; claims 5, 23, 25, 38, 41 have been canceled; and new claims 42-49 have been added. Claims 5, 23, 25, 28, 38, 41 have been canceled to minimize filing fees and not for patentability reasons.

Interview Summary

Applicants’ representative, Tadd Wilson, and Examiner, Lewis Alexander Bullock Jr., conducted a telephonic interview on February 24, 2005. Applicants would like to thank the Examiner for his time and effort in discussing the present application. During the interview, Examiner provided some suggested amendments to the claims. Those suggested amendments are reflected in the amended claims above.

Claim Rejections - 35 U.S.C. § 103

Claims 1-27 and 29-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,199,196 issued to Madany et al., (hereinafter “Madany”).

Applicants respectfully traverse the section 103 rejections. The Examiner has failed to substantiate a prima facie case of obviousness because one or more of the requirements of a prima facie case is absent. Indeed, such a prima facie case can only be met when **all** of the following requirements are met: (1) there must be some suggestion or motivation in the references themselves (or in the knowledge available to those skilled in the art) to combine the references; (2) there must be a reasonable expectation of success; and (3) the combined references must teach or suggest all the claim limitations. See MPEP §§ 706.02(j) and 2143. In this case, the Madany does not teach all of the claim limitations, e.g., separately sending the

customized library and the application, and that the application-referenced types are developed by third parties and are not part of the application.

The present invention includes a customized library management method and system for generating a customized library needed for execution of an application in a client system. In response to an identification of a given application, such as a request from the client system or an internal instruction of the server, the server determines the appropriate types to include in a library to be sent to the client based on certain parameters. The parameters may include, for example, the types referenced by the application; the types already loaded on the client system, and a device profile describing characteristics of the client system. Third parties develop the types referenced by the application and the types are not part of the application. The customized library includes types that are required by the application and that are not yet loaded on the client. The requested application and the customized library are separately sent to the client to execute the application.

In the present Office Action, the Examiner has cited Madany as disclosing a computer program product for generating an output file for execution of a program that identifies components stored on a client, identifies needed components, and creates a package of needed components. See col. 7, lines 10-49; col. 7, lines 60 – col. 8, line 16; col. 8, lines 56-67; col. 6, lines 1 – col. 7, line 3. The Examiner has also cited Madany as disclosing, “generating a customized library (creates a list/ output file/ package) including one or more client-needed types (required or needed component/ dependent component) (col. 7, lines 10-49; col. 7, lines 60 – col. 8, line 16; col. 8, lines 56-67; col. 6, lines 1 – col. 7, line 3).” However, Madany does not create a customized library of application-referenced types that are developed by third parties and neither part of the application nor loaded on the client (client-needed types). Rather, Madany describes creating, “a packaged file (i.e., the output file mentioned above) containing *all* necessary components for program execution” (col. 8, lines 58-60) (*Emphasis added*). This is an important distinction as the “package” or output file described in Madany includes the components developed for the application program, which is an entirely different output than the customized library in the amended claims of the present invention that includes types referenced by the application program but not already loaded on the client.

Another distinction between Madany and the present invention may be best shown by comparing FIG. 2 and FIG. 8, in the present application, to the method shown in FIG. 5 of Madany. The present invention clearly shows that the customized library is separate from the components or types within the application, while Madany only describes sending a single output file. Thus, Madany teaches away from separately sending a customized library and the application, but describes generating a single output file containing all components both referenced by the application and part of the application. Madany requires the integration of the application components and application-referenced components that come from different publishers – an integration problem. In addition, Madany forces the client to disassemble the package if the client desires to separate the application components from the application-referenced components.

In light of the amended claims and for the reasons given above, Applicants respectfully request the withdrawal of the obviousness rejection of claim 1. Applicants also respectfully request the withdrawal of the obviousness rejections of claim 2 through claim 22 that depend from claim 1. As the Examiner admits, claims 24-33 make reference to a system that corresponds to the computer program product of claims 1-22. Therefore, in light of the amended claims and for the reasons stated above, Applicants respectfully request the withdrawal of the obviousness rejections of claims 23 through 33.

The Examiner rejects claim 34 under the same reasoning as claim 1. Examiner states that, “Madany teaches a computer product encoding a computer program for executing on a computer system a computer process for creating a customized library (output file / package) comprising: accessing a class library store (location of stored class file); identifying one or more needed classes (necessary classes/ components of the classes); creating an empty library (creates a list); extracting the one or more needed classes (needed components) from the class library store; and adding the one or more needed classes (needed components) to the empty library (list) to generate the customized library (col. 7, lines 10-49; col. 7, lines 60 – col. 8, line 16; col. 8, lines 56-67; col. 6, lines 1 – col. 7, line 3).”

For the same reasons as stated with claim 1, the Applicants respectfully disagree with the Examiner. The output file or package in Madany includes classes within the application and

application-referenced classes. In addition, “needed components” within Madany refers to both classes for the application and application-referenced classes (col. 7, lines 10-49; col. 7, lines 60 – col. 8, line 16; col. 8, lines 56-67; col. 6, lines 1 – col. 7, line 3) as opposed to application-referenced classes as described in the present invention, which are developed by third parties and are not part of the application. Madany does not teach adding the one or more needed classes, which are only application-referenced classes, to the library list to generate a customized library, which includes only application-referenced classes that are not loaded on the client. Therefore, Madany cannot render the present invention obvious and actually teaches away from the present invention.

In light of the amended claims and for the reasons given above, Applicants respectfully request the withdrawal of the obviousness rejection of claim 34, and thus, the obviousness rejections of claim 35 through claim 40 that depend from claim 34.

Newly added claims 42-49 pertain to a system for deflating an application. Madany does not speak to this invention at all, and thus, claims 42-49 are allowable over Madany.

Given that the Madany reference does not teach or suggest all the claim limitations of the amended or added claims, all claims are believed to be allowable over the prior art. That is, because Madany does not disclose separately sending a customized library, which includes application-referenced types that are types developed by third parties and not part of the application, claims 1, 24, 26, 34, and 42 are unobvious in light of Madany. Similarly, all claims depending from those claims are also believed to be allowable and reconsideration of the outstanding rejections in light of these amendments and remarks is respectfully requested.

Conclusion

As originally filed, the present application included 41 claims, 6 of which were independent. As amended the present application includes 43 claims 5 of which are independent. Payment for the additional fees is included with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

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In light of the above amendments and remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

Date: _____

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